

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE INSURANCE COMPANY OF THE STATE :
OF PENNSYLVANIA, :

Plaintiff, :

vs. :

ARGONAUT INSURANCE COMPANY, :

Defendant. :

12 Civ. 6494 (DLC)

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NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that upon Defendant's Memorandum of Law in Support of Motion For Summary Judgment, the Rule 56.1 Statement of Undisputed Material Facts in Support of Defendant's Motion for Summary Judgment, and the Declaration of Sean Thomas Keely with the exhibits annexed thereto, Defendant Argonaut Insurance Company, by its attorneys, hereby moves the Court for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting its motion for summary judgment dismissing the complaint filed by plaintiff The Insurance Company of the State of Pennsylvania ("ICSOP") based upon ICSOP's material breach of its contractual obligation to provide Argonaut with prompt notice of the claim at issue.

Pursuant to the Stipulated Revised Pretrial Scheduling Order entered by the Court, any opposing affidavits and answering memoranda shall be served by June 7, 2013, and any reply in support of the motion shall be served by June 14, 2013.

New York, New York
May 17, 2013

Respectfully Submitted,

By: 

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